

## Message

**From:** Temple, Kurt [Temple.Kurt@epa.gov]  
**Sent:** 10/20/2016 12:53:41 PM  
**To:** Martinez, Brittany [Martinez.Brittany@epa.gov]; Miller, Amy [Miller.Amy@epa.gov]  
**CC:** Grow, Richard [Grow.Richard@epa.gov]  
**Subject:** RE: Coordination with USDA; EPA FILE NOS. 44RNO-16-R9 (Hawaii ADC) & 45RNO-16-R9 (Hawaii DOA)

Yes and the reason that DOJ is included as an addressee for the complaint is because DOJ's FCS arm is the coordinator for civil rights among all the federal agencies; so in this instance, when two federal agencies have concurrent jurisdiction, DOJ's coordinating authority is implicated.

Kurt

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**From:** Martinez, Brittany  
**Sent:** Thursday, October 20, 2016 8:50 AM  
**To:** Miller, Amy <Miller.Amy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>  
**Cc:** Grow, Richard <Grow.Richard@epa.gov>  
**Subject:** RE: Coordination with USDA; EPA FILE NOS. 44RNO-16-R9 (Hawaii ADC) & 45RNO-16-R9 (Hawaii DOA)

It is likely that DOJ does not provide financial assistance to either entity. I will double check this to make sure my assumption is correct.

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**From:** Miller, Amy  
**Sent:** Wednesday, October 19, 2016 5:08 PM  
**To:** Martinez, Brittany <Martinez.Brittany@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>  
**Cc:** Grow, Richard <Grow.Richard@epa.gov>  
**Subject:** FW: Coordination with USDA; EPA FILE NOS. 44RNO-16-R9 (Hawaii ADC) & 45RNO-16-R9 (Hawaii DOA)

## Ex. 5 Deliberative Process (DP)

Amy C. Miller  
 Special Projects  
 Office of Regional Administrator  
 U.S. Environmental Protection Agency, Region IX  
 (415) 947-4198  
[miller.amy@epa.gov](mailto:miller.amy@epa.gov)

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**From:** Neal, Daria (CRT) [<mailto:Daria.Neal@usdoj.gov>]  
**Sent:** Wednesday, October 19, 2016 1:48 PM  
**To:** Dorka, Lilian <[Dorka.Lilian@epa.gov](mailto:Dorka.Lilian@epa.gov)>; Pfaeffle, Frederick -OSEC <[Frederick.Pfaeffle@osec.usda.gov](mailto:Frederick.Pfaeffle@osec.usda.gov)>  
**Cc:** Temple, Kurt <[Temple.Kurt@epa.gov](mailto:Temple.Kurt@epa.gov)>; Martinez, Brittany <[Martinez.Brittany@epa.gov](mailto:Martinez.Brittany@epa.gov)>; Reyes, Deldi <[Reyes.Deldi@epa.gov](mailto:Reyes.Deldi@epa.gov)>; Miller, Amy <[Miller.Amy@epa.gov](mailto:Miller.Amy@epa.gov)>; Rhodes, Julia <[Rhodes.Julia@epa.gov](mailto:Rhodes.Julia@epa.gov)>; Ruiz, Carl-Martin - ASCR <[Carl-Martin.Ruiz@ascr.usda.gov](mailto:Carl-Martin.Ruiz@ascr.usda.gov)>

## Ex. 5 Attorney Client (AC)

**From:** Dorka, Lilian [<mailto:Dorka.Lilian@epa.gov>]  
**Sent:** Tuesday, October 18, 2016 10:37 PM  
**To:** Pfaeffle, Frederick -OSEC <[Frederick.Pfaeffle@osec.usda.gov](mailto:Frederick.Pfaeffle@osec.usda.gov)>  
**Cc:** Temple, Kurt <[Temple.Kurt@epa.gov](mailto:Temple.Kurt@epa.gov)>; Neal, Daria (CRT) <[Daria.Neal@crt.usdoj.gov](mailto:Daria.Neal@crt.usdoj.gov)>; Martinez, Brittany <[Martinez.Brittany@epa.gov](mailto:Martinez.Brittany@epa.gov)>; Reyes, Deldi <[Reyes.Deldi@epa.gov](mailto:Reyes.Deldi@epa.gov)>; Miller, Amy <[Miller.Amy@epa.gov](mailto:Miller.Amy@epa.gov)>; Rhodes, Julia <[Rhodes.Julia@epa.gov](mailto:Rhodes.Julia@epa.gov)>; Ruiz, Carl-Martin -ASCR <[Carl-Martin.Ruiz@ascr.usda.gov](mailto:Carl-Martin.Ruiz@ascr.usda.gov)>  
**Subject:** Re: Coordination with USDA; EPA FILE NOS. 44RNO-16-R9 (Hawaii ADC) & 45RNO-16-R9 (Hawaii DOA)

Thanks Fred. I did receive a call/message from your intake director this evening and Kurt will be following up with her tomorrow. Lilian

Sent from my iPhone

On Oct 18, 2016, at 3:31 PM, Pfaeffle, Frederick -OSEC <[Frederick.Pfaeffle@osec.usda.gov](mailto:Frederick.Pfaeffle@osec.usda.gov)> wrote:

Lillian, sorry for the delay and thank you for the reminder. (Frankly, it had fallen through my cracks till now.)

I will be on travel tomorrow through the end of the week but can respond and also get on the phone as needed. My team is working on a response.

Regards, Fred.

Frederick Pfaeffle Arana  
 Deputy Assistant Secretary for Civil Rights  
 United States Department of Agriculture  
 Room 212-A Whitten Bldg.  
 1400 Independence Ave., SW  
 Washington, DC 20250-0115

[Frederick.Pfaeffle@OSEC.USDA.gov](mailto:Frederick.Pfaeffle@OSEC.USDA.gov)  
 Tel. 202.720.3808

**From:** Dorka, Lilian [<mailto:Dorka.Lilian@epa.gov>]  
**Sent:** Monday, October 17, 2016 8:14 PM  
**To:** Pfaeffle, Frederick -OSEC <[Frederick.Pfaeffle@osec.usda.gov](mailto:Frederick.Pfaeffle@osec.usda.gov)>  
**Cc:** Temple, Kurt <[Temple.Kurt@epa.gov](mailto:Temple.Kurt@epa.gov)>; [daria.neal@usdoj.gov](mailto:daria.neal@usdoj.gov); Martinez, Brittany <[Martinez.Brittany@epa.gov](mailto:Martinez.Brittany@epa.gov)>; Reyes, Deldi <[Reyes.Deldi@epa.gov](mailto:Reyes.Deldi@epa.gov)>; Miller, Amy <[Miller.Amy@epa.gov](mailto:Miller.Amy@epa.gov)>; Rhodes, Julia <[Rhodes.Julia@epa.gov](mailto:Rhodes.Julia@epa.gov)>  
**Subject:** FW: Coordination with USDA; EPA FILE NOS. 44RNO-16-R9 (Hawaii ADC) & 45RNO-16-R9 (Hawaii DOA)  
**Importance:** High

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

soon. Lillian

Lilian Sotolongo Dorka  
Acting Director, EPA, Office of Civil Rights  
202-564-9649  
WJC-N Room 2450

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**From:** Temple, Kurt  
**Sent:** Wednesday, September 21, 2016 9:08 AM  
**To:** [Frederick.Pfaeffle@osec.usda.gov](mailto:Frederick.Pfaeffle@osec.usda.gov)  
**Cc:** [Daria.Neal@usdoj.gov](mailto:Daria.Neal@usdoj.gov); Martinez, Brittany <[Martinez.Brittany@epa.gov](mailto:Martinez.Brittany@epa.gov)>  
**Subject:** Fwd: FINALIZED & MAILED RE: Acknowledgement of Correspondence, EPA FILE NOS. 44RNO-16-R9 (Hawaii ADC) & 45RNO-16-R9 (Hawaii DOA)

Fred: Following up on our brief conversation at the NCRC yesterday, we'd like to have a conversation with your team about this new Hawaii matter. Happy to reach out to your POC if you provide the introduction.

Thanks, Kurt

Kurt T. Temple  
Senior Advisor  
EPA OCR

Sent from my iPhone

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